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## Revise Louisiana recall law to make it easier for voters to use

by JOSHUA SPIVAK

Following a string of embarrassing and occasionally illegal behavior by state and local officials in Louisiana, Covington Republican Rep. Paul Hollis has proposed making recalls against some officials easier to get on the ballot. Hollis' plan could make a big difference for state voters looking to oust elected officials - but the record shows that it is not likely to result in an outpouring of new recalls.

Right now, Louisiana has one of, if not the, most demanding recall laws among states that allow so-called "political recalls" - meaning recalls that don't require judicial approval for a specific statutory reason such as a conviction for a crime. Louisiana requires signatures from at least one-third of registered voters in the affected jurisdiction to get a recall on the ballot.

The result is that over the past five years, six recalls have gone to the voters in all of Louisiana (five of the officials were removed), and three other officials resigned in the face of a recall campaign. All of these have been in small jurisdictions, where the number of signatures needed is relatively low. In some very high-profile embarrassing scandals such as the sexting behavior of Jefferson Parish President Mike Yenni or the financial questions surrounding former St. Tammany Parish coroner Peter Galvan, the recalls failed because the threshold was so high.

One easy comparison is the Gov. Gray Davis recall in California. Though the Golden State has a population 8 1/2 times the size of Louisiana's, you would have needed fewer total signatures (less than 900,000) to get a recall of Davis on the ballot than to get a recall against a Louisiana governor to the voters.

Most of the states that see frequent use of the recall, such as Michigan, Wisconsin and Oregon, require petitioners to get signatures from voters totaling 25 percent of the voter turnout for that seat in the previous election. The difference between the voter turnout and the registered voter requirement can be thousands of signatures for state legislative, mayoral and city council positions. New Jersey is one state that requires 25 percent of registered voters - and the Garden State had fewer recalls make the ballot over the past half decade than Louisiana.

While the recall has gotten a significant amount of attention in recent years, thanks to Gray Davis in California, Scott Walker and the Legislature in Wisconsin, and some gun control-related legislative recalls in Colorado, recalls have played only a small role in American politics. Unless a deep-pocketed supporter puts in a lot of money, there are very few recalls that take place against officials that require more than 10,000 signatures.

The big problem is that a very high signature requirement can be an insurmountable hurdle in large cities or parishes. For example, in 2012 a California Moreno Valley School Board member was indicted on attempted murder, pimping and insurance fraud charges for running a sex-for-money operation (he was convicted and is serving 14 years). Despite the lurid charges, the petitioners could not get the more than 9,000 signatures needed to get a recall on the ballot. If this took place in Louisiana, the signature requirement for that and other recalls would have been much higher.

Louisiana's Legislature can look to ease the recall law without making it too easy to get a recall on the ballot. California has a sliding signature requirement standard. For small cities where the registration is less than 1,000 voters, there is a requirement to get 30 percent of

turnout; if the registration is 10,000 the signature total goes down to 25 percent. The scale ends for jurisdictions that have more than 100,000 voters, where 10 percent is required. This type of sliding scale — which is similar to Rep. Hollis' proposal — is one simple solution to lower the barrier for entry for recalls, while not making it too easy to get on the ballot. Another proposal is switching from the registered voter to voter turnout requirement, which also would slice off thousands of signatures.

Louisiana has been rocked with enough corruption scandals throughout the years that voters and elected officials have seen the need to have a recall law in place. But the current law may present too big a hurdle to make a recall of any use for all but the smallest jurisdictions. With a few small tweaks, Louisiana can change that and turn the recall into a tool of better government in the hands of the voters.

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